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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT application of MILES et al
Application No.:09/922,087

Group Art Unit: 2855

Filed: 8/6/2001

Examiner: DAVIS, Octavia L.

Date: December 2, 2002

Hon. Commissioner of Patents

and Trademarks
Washington, D.C. 20231

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is to be treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

	Claims remaining after amendment *	Highest number previously Paid for	Present Extra =	Large/Small Entity	Additional Fee
Total Effective Claims	*	**minus	= 0	x \$	+
Independent Claims	+\$	***minus	= 0	x \$	+
If amendment enters proper multiple dependent claim(s) into this application for <u>first</u> time (leave blank if this is a reissue application) <u>add</u>					+
Original due date: 10/3/02		(1 mo) (2mos) (3mos)	2 + +		
Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached			\$110.00 \$400.00 \$920.00	+ 400.00	
Enter any previous extension fee paid since above original due date (item 5) and subtract				+	
Extension Fee Attached					+ \$ 400.00
If Terminal Disclaimer attached, add Rule 20(d) official fee				+\$ +\$	+
If IDS attached requires Official Fee, add or if Rule 97(d) Petition, add				+ \$	+
After-Final Request Fee per Rules 129(a) and 17(r)					+
No. of additional inventions for examination per Rule 129(b):			+ x\$		+
Petition fee for					\$ 0
					\$ 400.00

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order No 500687 for which purpose a duplicate copy of this sheet is attached. This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

Respectfully submitted,

At:

W. Warren Taltavull

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Customer No20736



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MILES et al
Serial No.: 09/922,087
Filed: 08/06/2001
For: DEVICE AND METHOD FOR
FATIGUE TESTING OF
MATERIALS

Group: 2855

Examiner: DAVIS, Octavia L.

AMENDMENT

December 2, 2002

Hon. Commissioner of Patents
And Trademarks
Washington, D.C. 20231

In response to the Official action dated July 3, 2002, please enter the following amendments.

IN THE SPECIFICATION:

Page 1, after the Title and before the first line, please insert the following heading:-- Field of the Invention--;

after line 6, please insert the following heading: -- Background of the Invention--.

Page 2, after line 15, please insert the following heading: -- Summary of the Invention--;

Page 7, before the first line, please insert the following heading: -- Brief Description of the Drawings--;

after line 9, please insert the following heading: -- Detailed Description of the Invention--.

Please delete the paragraph at p. 5 line 30 and bridging over to p. 6 line 22 and insert the following:

The present invention also provides a device for fatigue testing of materials comprising a frame, first and second clamping means for holding a specimen to be tested, mounting means to mount the first and second clamping